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PATENT
Attorney Docket No. 3579.1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Gregory C. Loney

Examiner: Betty J. Forman

Serial No: 10/769,575

Group Art Unit: 1634

Filing Date: 1/29/2004

INFORMATION DISCLOSURE
STATEMENT

Title: System and Method for Calibration
and Focusing a Scanner Instrument
Using Elements Associated with a
Biological Probe Array

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Examiner Forman:

Pursuant to 37 CFR § 1.56, § 1.97 and § 1.98, the documents listed on the accompanying U.S. Patent & Trademark Office's Modified Form-1449 are called to the attention of the Examiner for consideration in connection with the above-identified patent application. According to MPEP §609 subsection III A(2), Applicants are not required to provide copies of U.S. patent documents for applications filed after June 30, 2003. Thus only copies of the non-US Patent Documents are enclosed herewith.

Citation of these documents shall not be construed as (1) an admission that the documents are necessarily prior art with respect to the instant invention; (2) a representation that a search has been made; or (3) an admission that the information cited herein is, or is considered to be, material to patentability in any way, including that as defined in § 1.56(b).


Applicants believe that no fee is required for submission of this statement. However, if an Office Action on the merits has been mailed, the Commissioner is hereby

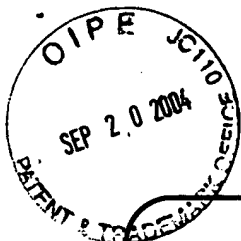
authorized to charge the required fees to Account No. 01-0431 in order to have this Information Disclosure Statement considered.

Dated: 9/17/2004

Respectfully submitted,

Customer No. 22886
Legal Department
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**TRANSMITTAL
FORM**

(to be used for all correspondence after initial filing)

| | | | |
|---|----------------------|------------------------|--------|
| TRANSMITTAL FORM (to be used for all correspondence after initial filing) | Application Number | 10/769,575 | |
| | Filing Date | 1/29/2004 | |
| | First Named Inventor | Gregory C. Loney | |
| | Art Unit | 1634 | |
| | Examiner Name | Betty J. Forman | |
| Total Number of Pages in This Submission | 32 | Attorney Docket Number | 3579.1 |

ENCLOSURES (check all that apply)

| | | |
|---|--|---|
| <input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment / Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input checked="" type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/ Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53 | <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ | <input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): - Form 1449 (1 Page); - 1 Reference (28 Pages) - Return Postcard. |
| <div>Remarks</div> | | |

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

| | | | |
|-------------------------|--|--|--|
| Firm or Individual name | William R. McCarthy, III Reg. No. 55,788 | | |
| Signature | | | |
| Date | 9/17/2004 | | |

CERTIFICATE OF TRANSMISSION/MAILING

| | | | |
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| I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below. | | | |
| Typed or printed name | William R. McCarthy III | | |
| Signature | | Date | 9/17/2004 |

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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PTO/SB/08a (08-03)
Approved for use through 07/31/2006. OMB 0651-0031
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